

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SARAH J. STERN,)
vs. Plaintiff,) Civil No. 17-cv-1225-JPG-CJP
COMMISSIONER OF SOCIAL SECURITY,)
Defendant.)

MEMORANDUM AND ORDER

In accordance with 42 U.S.C. § 405(g), the pro se plaintiff seeks judicial review of the final agency decision denying her application for social security disability benefits pursuant to 42 U.S.C. § 423.

Plaintiff's brief was originally due by August 10, 2018. (Tr. 15). When plaintiff missed that deadline, the Court issued a Notice of Impending Dismissal. The Court gave plaintiff an extension to September 13, 2018, in which to file her brief. The Notice stated, "Plaintiff is cautioned that this case will be dismissed if she does not file her brief by September 13, 2018."

See, Doc. 16.

Plaintiff has failed to file a brief as ordered and has failed to diligently pursue this case. This Court gave plaintiff the "warning shot" required by *Ball v. City of Chicago*, 2 F.3d 752, 755 (7th Cir. 1993) in Doc. 16. Pursuant to *Johnson v. Chicago Board of Education*, 718 F.3d 731 (7th Cir. 2013), the Court has considered whether a sanction short of dismissal of this case might be fruitful and finds that it would not.

This case is dismissed with prejudice.

The Clerk of Court shall enter judgment in favor of defendant.

IT IS SO ORDERED.

DATED: DECEMBER 6, 2018

s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. DISTRICT JUDGE